

Quality of Life Council Committee

Meeting Record

(DRAFT)

Meeting Date: 8-10-2010

Convened: 12:07 p.m.

Adjourned: 1:08 p.m.

Pauline Medrano, Chair
Sheffie Kadane
Dave Neumann
Steve Salazar
Carolyn R. Davis
Delia Jasso – non member

Briefing Presenter(s):

- Mary Morris, Assistant
Director, Court & Detention
Services
- Jimmy Martin, Assistant Director
Code Compliance

Committee members not present:

Vonciel Jones Hill, Vice Chair - out on city business
Angela Hunt- out on city business

AGENDA:

1. **Approval of May 24, 2010 minutes**

Presenter(s):

Information Only: _____

Action Taken/Committee Recommendation(s):

Motion to approve the May 24, 2010 minutes.

Motion made by: Sheffie Kadane

Item passed unanimously: __X__

Item failed unanimously: _____

Motion seconded by: Dave Neumann

Item passed on a divided vote: _____

Item failed on a divided vote: _____

2. **Illegal Dump Team**

Presenter(s): Mary Morris

Information Only: __X__

Action Taken/Committee Recommendation(s):

The purpose of the briefing was to review the significance of illegal dumping, discuss the responsibilities of the Illegal Dump Team and discuss the penalties for illegal dumping. The Illegal Dump Team consists of one sergeant, three deputy marshals and two investigators. The FY10-11 includes the addition of two IDT Deputy Marshal's funded by the Storm Drainage Management Fund. Responsibilities of the IDT include: enforce environmental laws such as Health and Safety Code (illegal dumping), Texas Clean Air Act (open burning, smoking vehicles, and vehicle idling), and Texas water Code (illegal dumping of hazardous waste, dumping of any pollutants), enforce City of Dallas Ordinances (unsecured load, scrap tire, and motor vehicle idling ordinances), monitor chronic dump sites, conduct surveillance at dump sites and provide community education. The following Internal/ external departments who partner with the IDT include: DPD, DFR Hazmat Response, Code Compliance, DWU/ Storm Water Division, and Texas Commission on Environmental Quality.

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Illegal dumping occurs more frequently in public right-of-ways, large parcels, isolated public or private property, city parks, flood plains, along rural road and railways. Lighting and barriers can reduce or eliminate continued dumping as well as “No Dumping” signs. Penalties under the Texas Litter Abatement Act/Health & Safety Code, Chapter 365- Illegal Dumping consist of fines up to \$10,000 and/or 180 days to 2 years in jail depending on the weight of 5 lbs. to 1000 lbs or more or volume of 5 gallons to 200 cu. feet or more. YTD 09-10 stats with a staff of one Sgt. and five Deputies indicate the following: sixty-two illegal dumping arrests, four hundred citations issued, five hundred citizen response calls, and seventy cases filed showing a decreasing amount from FY 07-08 for most of these actions.

Committee members asked that an update briefing return to the Quality of Life Committee regarding the trial camera period by the end of September or early October.

3. Proposed Amendments to the Graffiti Ordinance

Presenter(s): Jimmy Martin

Information Only: _____

Action Taken/Committee Recommendation(s):

The purpose of the briefing was to review the current process for graffiti and evaluate the new State Law Amendments affecting laws relating to graffiti to make the necessary changes to the City of Dallas ordinance. During a typical year, 5,250 graffiti cases are abated. Graffiti violations are reported through the following: 3-1-1, graffiti tip line by dialing 214-670-TIPS (8477), graffiti wipeout website (www.dallasgraffitiwipeout.com), and proactive sweeps. When handling a graffiti violation, the site is first investigated and if a violation is confirmed a Notice of Violation is then issued. After issuance of notice, there are options available for property owners such as abating the graffiti themselves, filling out a consent form and allowing the city to abate the property for free, purchase color matched paint and allow a city crew to use on property for free, or the city can drop off paint and supplies so that the property owner can abate as needed. Owners that do not abate or allow the city to abate are subject to a citation.

During the last State Legislative session, amendments were passed that affected laws related to graffiti. Three sections of the City of Dallas ordinance are in conflict with the new state law which includes: property owner removal period, exemptions, and city abatement of graffiti. The new state law requires owners to remove graffiti within 15 days after the notice. Currently the city ordinance requires owners to remove graffiti within 21 days after the notice. New state law included two exemptions not currently present in the Dallas ordinance. Current exemptions are for property owners that have graffiti located on a transportation infrastructure and if removal of the graffiti would create a hazard for the person doing the removal. In addition, under the new state law, a city may not issue a graffiti violation notice unless the city has offered to remove the graffiti free of charge, and the owner has refused the offer. The City ordinance does not state the removal service offered by the City is free of charge.

Next steps include drafting an amendment to the Dallas City Code related to reflect changes to the state law and seek council approval of the amended graffiti ordinance. A motion was made to update the ordinance to comply with the state as it relates to the graffiti abatement program and present to full council at the October 26, 2010 voting agenda.

Quality of Life Council Committee

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Motion made by: Dave Neumann

Item passed unanimously: __X__

Item failed unanimously: _____

Motion seconded by: Sheffie Kadane

Item passed on a divided vote: _____

Item failed on a divided vote: _____

Deputy Mayor Pro Tem Pauline Medrano, Chair
Quality of Life Committee